

REMARKS

Claims 1-42 were pending as of the action mailed on January 23, 2009. Claims 1, 10, 19, 25, and 34 are in independent form. Claims 10 and 19 are amended for clarity. Reconsideration of the action is respectfully requested in light of the foregoing amendments and the following remarks. This reply is being filed with a Request for Continued Examination.

The Examiner rejected claims 1-42 under 35 U.S.C. § 103(a) as allegedly unpatentable over “Jumping Beans,” Ad Astra Engineering, 12/3/1998, pages 1-44 (“Jumping Beans”) in view of Zhou et al. “Adaptation and Specialization for High Performance Mobile Agents,” USENIX, 1999 (“Zhou”). Applicant respectfully traverses the rejections.

Section 103 Rejections

Claim 1 was rejected over Jumping Beans and Zhou. Claim 1 is directed to a jumping application morphing console that alters a jumping application that is jumping between two or more hosts connected to the morphing console. The morphing console includes a morphing module that alters the jumping application as the jumping application jumps between hosts including receiving the jumping application jumping from a first host to a next host, altering the jumping application, and sending the jumping application to the next host.

The Examiner acknowledges that Jumping Beans does not teach the claimed morphing module. However, the Examiner states that Zhou teaches the claimed morphing module. Applicant respectfully disagrees.

Zhou describes a number of features associated with mobile applications. In particular, Section 3 of Zhou describes agent morphing. *See* Zhou page 6. In Zhou, agent morphing is described as changing a mobile application between a neutral (platform independent) form and a native (platform dependent) form. *See* page 6, section 3.1. The mobile application is programmed to initially enter a new host in the neutral form and then morph to the native, platform dependent, form. *See* page 6, section 3.1.

In particular, the mobile application, before it migrates to a next host, is morphed into a platform independent neutral form. *See* page 7, second full paragraph. The mobile application

then migrates to the next host. *See* page 7, second full paragraph. After arriving at the next host, the mobile application can again morph to the native form corresponding to the “specific platform on which it is currently running.” *See* page 6, section 3.1. Thus, in Zhou, all morphing occurs either on a host prior to migration or on a host after arrival. Zhou does not teach or suggest a morphing console that alters a jumping application that is jumping between two or more hosts connected to the morphing console where the jumping application is received from a first host, altered, and sent to a next host. The morphing console is not a dispatching or receiving host. Instead the morphing console alters the jumping application en route from the dispatching host to the receiving host. Consequently, the jumping application is altered as it is jumping between hosts, not before or after a jump.

The Examiner states that Zhou describes that morphing can be triggered at any point during execution. The Examiner further states that since a conventional jumping application is considered executing across jumps, that means Zhou describes morphing during a jump. *See* Office Action, page 9. Applicant respectfully disagrees. In particular, there is nothing in Zhou that describes morphing during a jump. The Examiner argues that Zhou describes a “management system that control agent’s efficient execution transforms the agent-mode states into its native-mode representation by a set of functions within the native implementation” (Office Action, page 9) citing Zhou, page 7, left column, second and third paragraphs.

The cited portions of Zhou do not teach or suggest any morphing console to which the jumping application is sent between jumps. Instead, the cited portions simply state that an application can morph to the native-mode representation using functions on that native host (“a set of functions within the native implementation”). Moreover, the cited portions do not describe any “management system” controlling agent-mode states. Further, even if there was such a management system that initiated morphing, there is no teaching or suggestion that the jumping application is sent to the management system for the morphing and then sent to a next host. Thus, these cited portions of Zhou still only describe morphing on a host either before a jump or after a jump.

The cited portions do not teach or suggest any morphing module that receives the jumping application jumping from a first host and sends the morphed jumping application to a next host, as required by claim 1. In particular, the examiner does not identify any structure in

Zhou that receives a jumping application between jumps. As such there is no support in Zhou for morphing between jumps. The Examiner's assertion that Zhou's jumping application can morph in transit between hosts is wholly without support.

The only described locations for morphing are at a host prior to migrating or at a host after arrival. There is no particular disclosure of morphing after leaving a host but before arriving at a destination host. Thus, while there is a generic statement of morphing being triggered at any point, there is no enabling disclosure in Zhou that the actual morphing occurs at any other locations than on the sending or receiving host.

In order to be enabled, the reference must teach the claimed invention "in sufficient detail to enable a person of ordinary skill in the art to carry out the claimed invention" (MPEP § 2121). The single generic sentence relied upon by the Examiner does not enable morphing during a jump from one host to another host. There is no disclosure or suggestion as to how the morphing can be triggered between hosts or how the morphing can occur during transit. Zhou does not teach or suggest structures or methods for morphing during transit. Moreover, Zhou does not teach a morphing console that receives a jumping application jumping from a first host to a next host, altering the jumping application, and sending the jumping application to the next host, as required by claim 1. Furthermore, there is no indication that the described "triggering" refers to any point during agent execution beyond agent execution on a host. Therefore, Applicant respectfully submits that there is no enabling disclosure in Zhou of morphing during a jump between hosts.

In the Advisory Action sent April 7, 2009, the Examiner simply repeats that the morphing can be triggered at any point during agent execution. The Examiner does not counter Applicant's argument that the disclosure of Zhou in the cited portions does not enable morphing the jumping application at any point other than at a dispatching or receiving host.

Additionally, Zhou does not teach or suggest altering a jumping application using a behavior package associated with the next host after leaving a host but prior to arriving at a next host. The Examiner relies on a description in Zhou of a repository where different native forms of the applications can be submitted at page 11, lines 1-3. However, while this describes different morphing forms of the applications, it does not remedy Zhou's failure to teach or suggest that the altering is performed during a jump between hosts. Moreover, Zhou explicitly

teaches against morphing a jumping application while jumping between hosts. For example, Zhou describes morphing at a host before migration. Additionally, Zhou describes that upon arrival at a next host, the jumping application can morph to a platform dependent native form. The jumping application will only morph to a native form if the host has a platform corresponding to the native form of the mobile application.

Since Zhou does not teach morphing during a jump, Zhou also fails to teach or suggest a morphing console that determines which host is the next host and then alters the behavior of the jumping application for the next host, as required by claim 1. Moreover, since Jumping Beans also does not teach or suggest morphing jumping applications. Therefore, the combination of Zhou and Jumping Beans also fails to teach or suggest the claimed morphing console.

Applicant respectfully submits that claim 1, as well as claims 2-9, which depend from claim 1, are in condition for allowance.

Claim 10 stands rejected over Jumping Beans in view of Zhou. Claim 10 is directed to a jumping application morphing console that includes means for altering the behavior of the jumping application for the next host using a particular behavior package associated with the next host when the jumping application jumps between a first host and the next host where the console alters the behavior after the jumping application leaves the first host and before the jumping application arrives at a next host. For at least the same reasons as set forth above with respect to claim 1, claim 10, as well as claims 11-18, which depend from claim 10, are in condition for allowance.

Claim 19 stands rejected over Jumping Beans in view of Zhou. Claim 19 is directed to a computer-implemented method for altering the behavior of a jumping application that includes receiving at a morphing console a jumping application dispatched from a first host during a jump between hosts, altering the behavior of the jumping application for the next host based on using a behavior package associated with the next host, and dispatching the jumping application to the next host. As set forth above with respect to claim 1, Zhou does not teach or suggest altering the behavior of a jumping application during a jump between hosts according to a behavior package associated with the next host. Applicant respectfully submits that claim 19, as well as claims 20-24, which depend from claim 19, are in condition for allowance.

Claim 25 stands rejected over Jumping Beans in view of Zhou. Claim 25 is directed to a jumping application morphing system that includes a management and security console connected to two or more host computers where the management and security console includes a morphing module that alters a jumping application as the jumping application jumps between hosts, where the morphing module receives the jumping application from a first host and alters the jumping application before sending the jumping application to a next host. For at least the same reasons as set forth above with respect to claim 1, claim 25, as well as claims 26-33, which depend from claim 25, are in condition for allowance.

Claim 34 stands rejected over Jumping Beans in view of Zhou. Claim 34 is directed to a server computer for a jumping application morphing system that includes instructions that determine a next host to which the jumping application, received from a first host, is being dispatched and instructions that alter the behavior of the received jumping application for the next host based on using a particular behavior package associated with the next host. For at least the same reasons as set forth above with respect to claim 1, claim 34, as well as claims 35-42, which depend from claim 34, are in condition for allowance.

Conclusion

For the foregoing reasons, Applicant submits that all the claims are in condition for allowance.

By responding in the foregoing remarks only to particular positions taken by the Examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, Applicant's selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, Applicant's decision to amend or cancel any claim should not be understood as implying that the applicant agrees with any positions taken by the Examiner with respect to that claim or other claims.

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Serial No. : 10/686,897
Filed : October 15, 2003
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Attorney Docket No.: 18511-0010001

The RCE and extension of time fees are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other credits or charges to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 19, 2009

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